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GOVERNMENT GAZETTE

BOLETIM OFICIAL

SUPPLEMENT

(SUPLEMENTO)

GOVERNMENT OF GOA, DAMAN AND DIU

Secretariat

Legislative Assembly of Goa, Daman and Diu

Legislature Department

LA/1510/66

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on the 21st July, 1966, is hereby published for general information in pursuance of the provisions of rule 127 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

The Goa, Daman and Diu (Judicial Commissioner's Court) Regulation (Amendment) Bill, 1966

(Bill No. 11 of 1966)

A Bill to amend the Goa, Daman and Diu (Judicial Commissioner's Court) Regulation, 1963.

BE it enacted by the Legislative Assembly of Goa, Daman and Diu in the Seventeenth Year of the Republic of India as follows:—

1. Short title and commencement. — (1) This Act may be called the Goa, Daman and Diu (Judicial Commissioner's Court) Regulation (Amendment) Act, 1966.

(2) It shall come into force on such date as the Administrator of Goa, Daman and Diu may, by notification in the *Official Gazette*, appoint.

2. Amendment of section 7. — For sub-section (1) of section 7 of the Goa, Daman and Diu (Judicial Commissioner's Court) Regulation, 1963, the following sub-section shall be substituted, namely:—

«(1) Subject to, such rules as the Court of the Judicial Commissioner may make for the transaction of the business of the Court, the jurisdiction of the Court may be exercised by the Judicial Commissioner or an Additional Judicial Commissioner sitting alone or by Benches constituted by the Judicial Commissioner from among the members of the Court:

Provided that no rules relating to the class or classes of cases in respect of which the jurisdiction of the Court shall be exercised by a single member thereof or by a Bench, shall be made except with the previous approval of the Administrator».

Memorandum on Delegated Legislation

The Bill seeks to empower the Court of the Judicial Commissioner to frame rules so as to determine the class of cases which might be heard by a single judge and the class of cases which have to be heard by a Bench. The proposed delegation is of a normal character.

Statement of Objects and Reasons

Section 7 of the Goa, Daman and Diu Judicial Commissioner's Court Regulation, 1963 provides that when the Court consists of a Judicial Commissioner and one or more Additional Judicial Commissioners, the jurisdiction of the Court shall be exercised by a Bench consisting of all the Judges of the Court. Consequently if one Judge happens to be absent it results in the Court not being able to function. An-

other consequence is that even for the most trifling matter all the judges have to sit together.

2. This results in delay in the disposal of cases.

3. It is, therefore, proposed to amend the Regulation so as to empower the judges of the Judicial Commissioner's Court to sit singly in appropriate cases subject to such rules as may be made by the Court with the previous approval of the Administrator. This would enable a single judge to pass orders in appropriate cases and would make for speedier despatch of business.

4. The Bill seeks to give effect to the above object.

5. Previous sanction of the Administrator under section 22 of the Government of Union Territories Act, 1963 for introduction and moving of this Bill has been obtained.

Panjim,

July 21, 1966

ASSEMBLY HALL.

Panjim,

July 21, 1966

TONY FERNANDES

Minister for Law

P. B. VENKATASUBRAMANIAN

Secretary to the Legislative Assembly
of Goa, Daman and Diu

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